

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al*,

Plaintiffs,

VS.

RICK PERRY, *et al*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00193

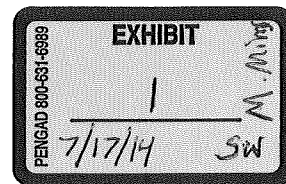
**DEFENDANTS' SECOND AMENDED NOTICE OF INTENTION TO TAKE  
ORAL DEPOSITION OF THE UNITED STATES DEPARTMENT OF  
VETERANS AFFAIRS**

To: **The United States of America**, by and through its attorneys of record Anna Baldwin, Robert Berman, Richard Dellheim, Elizabeth S. Westfall, Avner Shapiro, Daniel Freeman, Jennifer Maranzano, John A. Smith, Meredith Bell-Platts, and Bruce Gear, Voting Section, Civil Rights Division, United States Department of Justice, Room 7254 NWB, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.

Please take notice that on July 17, 2014, beginning at 11:00 A.M. EDT, at 1800 G Street, NW, 7<sup>th</sup> Floor Conference Room, Washington, DC, Defendants the State of Texas, Rick Perry, the Texas Secretary of State<sup>1</sup> and Steve McCraw, by and through the Attorney General for the State of Texas, will take the oral deposition of the United States Department of Veterans Affairs, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

This deposition will be recorded by stenographic means, conducted before an individual authorized to administer oaths, and used for any purpose permitted under the Federal Rules of Civil Procedure or court order. The deposition will be

<sup>1</sup> Various complaints identify the Texas Secretary of State as John Steen. The current Secretary of State, however, is Nandita Berry.



videotaped and taken telephonically. The deposition will continue from time to time and place to place until concluded.

The United States Department of Veterans Affairs is directed to designate a person or persons to testify on its behalf on the matters identified in Exhibit A.

## EXHIBIT A

### DEFINITIONS

The following terms have the following meanings, unless the context requires otherwise:

1. Person. The term “person” means any natural person, a business, a legal or governmental entity, or an association.
2. Department of Veterans Affairs. The term “Department of Veterans Affairs” means the United States Department of Veterans Affairs and its agents, representatives, attorneys, experts, employees, officers, directors, or any other person acting or purporting to act on its behalf.
3. And & or. The connectives “and” and “or” should be construed either conjunctively or disjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.
4. Present. The term “Present” means May 14, 2014, or the date on which the oral deposition of the United States of America is taken in the above-captioned litigation.
5. Relating. The term “Relating” means concerning, referring, describing, evidencing, supporting, refuting, or constituting, either directly or indirectly.
6. Requirement. The term “Requirement” means any regulation, statute, guideline, common law, or other legal authority.
7. Electronically Stored Information. The term “electronically stored information” means electronic information that is stored in a medium from which it can be retrieved and examined. It includes, but is not limited to, all electronic files that can be retrieved from electronic storage.
  - a. “Electronic file” includes, but is not limited to, the following: electronic documents; e-mail messages and files; deleted files; temporary files; and metadata.
  - b. “Electronic information system” refers to a computer system or network that contains electronic files and electronic storage.
  - c. “Electronic storage” refers to electronic files contained on magnetic, optical, or other storage media, such as hard drives, flash drives, DVDs, CDs, tapes,

cartridges, floppy diskettes, smart cards, integrated-circuit cards (e.g., SIM cards).

8. Texas Law. The term “Texas law” includes, but is not limited to:
  - a. Texas Election Code § 63.0101;
  - b. Texas Administrative Code §§ 15.181–.185; and
  - c. Senate Bill 14, 82nd Leg., R.S., ch. 123, § 3, 2011 Tex. Gen. Laws 619.
9. SB 14. The term “SB 14” means Senate Bill 14, 82nd Leg., R.S., ch. 123, § 3, 2011 Tex. Gen. Laws 619.
10. Defendants. The term “Defendants” means the defendants named in the above styled and captioned lawsuit.

MATTERS

1. Any and all databases in the possession, custody, or control of the Department of Veterans Affairs used to conduct a match with any database produced by the Defendants in this lawsuit.
2. With regard to a database described in Matter #1, above, any fields containing the same types of identifying information found in the Texas Election Administration Management System (TEAM) database that was produced by the Defendants in this lawsuit.
3. With regard to a database described in Matter #1, above, the frequency and process by which such a database is maintained and updated.
4. With regard to a database described in Matter #1, above, the process by which the Department of Veterans Affairs used such a database to conduct a match with the Texas Election Administration Management System (TEAM) database. This topic includes any algorithm used to conduct such a match.
5. Documents, electronically stored information, codes, manuals, or software necessary to facilitate the use of a database described in Matter #1, above.
6. The requirements, standards, and protocols for obtaining an acceptable form of ID under SB 14 issued by the Department of Veterans Affairs.

Dated: July 15, 2014

Respectfully submitted,

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COUNSEL FOR THE STATE OF TEXAS,  
RICK PERRY, JOHN STEEN, and STEVE  
MCCRAW

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2014, a true and correct copy of the foregoing document is being served via electronic mail to all counsel of record.

/s/ John B. Scott  
JOHN B. SCOTT